

MINUTES OF MEETING OCTOBER 12, 2004

The videoconference meeting convened at 11:30 AM on Tuesday, October 12, 2004 in Room 4406 of the Grant Sawyer Office Building at 555 E. Washington Avenue, Las Vegas and Room 3138 of the Legislative Building at 401 S. Carson St., Carson City, Nevada. The following were present at the roll call:

Margaret Colucci, DC, Vice President
Bobby Lazenby, Consumer Member
Donald Miner, DC, Secretary
Clyde Porter, DC, Member
Ian Yamane, DC, Member
Stephanie Youngblood, DC, President

Also present were CPBN Assistant Executive Director Conrad Frederickson and Executive Director Cindy Wade.

AGENDA ITEM 1 Dr. Youngblood determined that a quorum was present and called the meeting to order. All present gave the Pledge of Allegiance.

AGENDA ITEM 2 Dr. Miner moved that the agenda be approved. Dr. Colucci seconded and the motion passed unanimously.

AGENDA ITEM 3 The Workshop to Solicit Comments on Proposed Temporary Regulations was opened by Dr. Youngblood who noted that there was no public present. Dr. Miner moved to approve the amendment to NAC 634.3665 as proposed. Dr. Porter seconded and the motion passed unanimously. It was then noted that Adrian Hochstadt, Esq., of the AAAHC (Accreditation Association for Ambulatory Health Care) was present. Dr. Youngblood invited Mr. Hochstadt to present his testimony pursuant to NAC 634.3665. Mr. Hochstadt requested that his agency be included as an approved accrediting body within this regulation. Following discussion, the Board agreed to broadly include those accrediting agencies that have been approved by the State Department of Health.

There were no suggested revisions to the proposed amendments to NAC 634.355, NAC 634.385, NAC 634.430 or NAC 634.460.

Dr. Colucci requested 2(d)(1)(III) and 2 (d)(2)(II) be deleted from NAC 634.350 because the statements referred to are to be deleted from NAC 634.460.

There were no more comments and the workshop was closed.

AGENDA ITEM 4 The Hearing for the Adoption of Temporary Regulations was opened. Dr. Miner moved to approve the proposed revision of NAC 634.350 to include deletion of subsections 2(d)(1)(III) and 2(d)(2)(II). Mr. Lazenby seconded the motion and it passed unanimously.

Dr. Miner moved for approval of the proposed revised NAC 634.355. Dr. Yamane seconded and the motion passed unanimously.

Dr. Miner moved to approve the proposed revision of NAC 634.3665 to include the suggested modification that would include those accrediting agencies that have been approved by the State Department of Health pursuant to the Board's understanding of NRS 449.9745. Dr. Colucci seconded the motion and it passed unanimously.

Dr. Miner moved for approval of revision to NAC 634.385 as proposed. Dr. Colucci seconded and the motion passed unanimously.

Dr. Miner moved to approve the proposed revision to NAC 634.430 as written. Dr. Youngblood seconded and the motion passed unanimously.

Dr. Miner moved for approval of the revision to NAC 634.460 as proposed. Mr. Lazenby seconded the motion and it passed unanimously.

The hearing was closed.

AGENDA ITEM 5 Dr. Porter moved for approval of the August 25, 2004 minutes as drafted. Dr. Yamane seconded and the motion passed unanimously.

AGENDA ITEM 6A Complaint 04-19 was filed because a DC has continued to publish advertisements which violate the regulations in spite of several telephone calls from Dr. Miner. The violations include offering free services without stating the amount ordinarily charged, the DC's name was not included in the ads, and there is only one doctor involved but he advertised as a "group". Dr. Miner recommended this matter be referred to the Board's attorney. Dr. Porter so moved. Dr. Youngblood seconded and the motion passed unanimously.

AGENDA ITEM 6B Complaint 04-21 was filed because a DC failed to register a person working as a CA for several months. Dr. Miner recommended referral to the Board's attorney for prosecution. Dr. Porter so moved. Dr. Yamane seconded the motion and it passed unanimously.

AGENDA ITEM 7 Ms. Wade will send a letter to a DC that he has satisfactorily completed the terms of his probation.

AGENDA ITEM 8 There was no correspondence to report.

AGENDA ITEM 9 Under Board comments, Mr. Lazenby requested that the agendas be created in a binder with tabbed divisions.

The next meeting of the Board will be held in Las Vegas on November 13, 2004 and possibly in Reno on December 4, 2004.

AGENDA ITEM 10 There was no additional public comment.

AGENDA ITEM 11 The meeting adjourned at 12:27 PM.

Approved: January 22, 2005

Donald H. Miner, DC, Secretary